

AB:KCB

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

CARMEN YOBANI CAPELLAN DE  
MARTINEZ,

Defendant.

AFFIDAVIT IN SUPPORT OF  
REMOVAL TO THE  
DISTRICT OF NEBRASKA

(Fed. R. Crim. P. 5)

No. 20-MJ-158

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EASTERN DISTRICT OF NEW YORK, SS:

ARIEL KAUFMAN, being duly sworn, deposes and states that he is a Special Agent with the United States Department of State, Diplomatic Security Services ("DSS"), duly appointed according to law and acting as such.

On or about December 11, 2019, the United States District Court for the District of Nebraska issued an arrest warrant commanding the arrest of the defendant CARMEN YOBANI CAPELLAN DE MARTINEZ in connection with an indictment charging the defendant with false statements in the application of a passport, in violation of Title 18, United States Code, Section 1542.

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. On or about December 11, 2019, the United States District Court for the District of Nebraska issued an arrest warrant commanding the arrest of the defendant CARMEN YOBANI CAPELLAN DE MARTINEZ in connection with an indictment charging the defendant with making false statements in the application of a passport, in violation of Title 18, United States Code, Section 1542. True and correct copies of the arrest warrant and the indictment are attached as Exhibit A and Exhibit B, respectively.

2. On February 14, 2020, the defendant CARMEN YOBANI CAPELLAN DE MARTINEZ arrived at John F. Kennedy International Airport in Queens, New York, on Delta flight 312. Upon her arrival at the airport, the defendant was stopped for questioning by a U.S. Customs and Border Protection ("CBP") officer who identified the defendant based on the name and date of birth listed on a Dominican Republic passport the defendant presented to the CBP officer, which matched the name and date of birth of the individual who was wanted in the District of Nebraska. Specifically, the defendant presented a Dominican Republican passport to the CBP officer with the name "Carmen Robani Capellan De Martinez" and the defendant's date of birth. Further, the defendant presented a social security identification card with a social security number matching the social security number of the individual wanted in the District of Nebraska.

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<sup>1</sup> Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for removal, I have not described all the relevant facts and circumstances of which I am aware.

3. A CBP officer directed the defendant CARMEN YOBANI CAPELLAN DE MARTINEZ to the secondary screening area where the defendant was interviewed by law enforcement officers. During that interview, the defendant identified herself as “Carmen Yobani Capellan De Martinez” and provided the date of birth that is listed on the defendant’s passport, as well as the social security number listed on the defendant’s social security identification card, which match the date of birth and social security number of the individual wanted in the District of Nebraska.

4. Further, I have reviewed a photograph of the CARMEN YOBANI CAPELLAN DE MARTINEZ wanted in the District of Nebraska. Based on that photograph and my observations of the defendant during her arrest and booking, I believe that the defendant is the CARMEN YOBANI CAPELLAN DE MARTINEZ wanted in the District of Nebraska.

5. Based on the foregoing, I believe that the defendant is the CARMEN YOBANI CAPELLAN DE MARTINEZ wanted in the District of Nebraska.

WHEREFORE, your deponent respectfully requests that the defendant CARMEN YOBANI CAPELLAN DE MARTINEZ be removed to the District of Nebraska so that she may be dealt with according to law.



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ARIEL KAUFMAN  
Special Agent  
U.S. Department of State  
Diplomatic Security Services

Sworn to before me this  
14th day of February, 2020

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THE HONORABLE LOIS BLOOM  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

## EXHIBIT A

**SEALED**

AO 442 (Rev. 11/11) Arrest Warrant

**UNITED STATES DISTRICT COURT**

for the  
District of Nebraska

United States of America  
v.

CARMEN YOBANI CAPELLAN DE MARTINEZ

*Defendant*

Case No. 8:19CR 396

**ARREST WARRANT**

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay  
(name of person to be arrested) CARMEN YOBANI CAPELLAN DE MARTINEZ,  
who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

18:1542-False Statement in Application and Use of Passport

Date: 12/11/19

[Signature]  
*Issuing officer's signature*

City and state: Omaha, Nebraska

Denise M. Lucks, Clerk of the U.S. District Court  
*Printed name and title*

**Return**

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Arresting officer's signature*

\_\_\_\_\_  
*Printed name and title*

AO 442 (Rev. 11/11) Arrest Warrant (Page 2)

**This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.**

*(Not for Public Disclosure)*

Name of defendant/offender: CARMEN YOBANI CAPELLAN DE MARTINEZ

Known aliases: \_\_\_\_\_

Last known residence: 16488 Grant St., Omaha, NE 68116

Prior addresses to which defendant/offender may still have ties: \_\_\_\_\_

Last known employment: \_\_\_\_\_

Last known telephone numbers: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Date of birth: '1955

Social Security number: -3046

Height: 5'6" Weight: 134

Sex: F Race: H

Hair: Brown Eyes: Brown

Scars, tattoos, other distinguishing marks: \_\_\_\_\_

History of violence, weapons, drug use: \_\_\_\_\_

Known family, friends, and other associates (name, relation, address, phone number): \_\_\_\_\_

FBI number: \_\_\_\_\_

Complete description of auto: \_\_\_\_\_

Investigative agency and address: DSS

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): \_\_\_\_\_

Date of last contact with pretrial services or probation officer (if applicable): \_\_\_\_\_

## EXHIBIT B



SEALED FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

2019 DEC 10 PM 5:

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARMEN YOBANI CAPELLAN DE-  
MARTINEZ,

Defendant.

8:19CR 396

INDICTMENT  
18 U.S.C. § 1542

The Grand Jury charges that

COUNT I

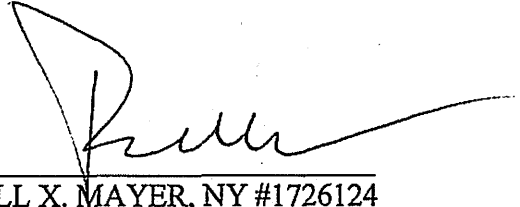
On or about May 17, 2012, in the District of Nebraska, the defendant, CARMEN YOBANI CAPELLAN DE-MARTINEZ, willfully and knowingly made a false statement in a renewal application for a passport with intent to induce and secure for her own use the issuance of a passport under the authority of the United States, contrary to the laws regulating the issuance of such passports and the rules prescribed pursuant to such laws, in that in such application the defendant stated Social Security account number ending in XXX-XX-0611 was in fact hers, and that her date of birth was August 29, 1957, which statements she knew to be false.

In violation of Title 18, United States Code, Section 1542.

A TRUE BILL.

~~FOREPERSON~~

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

A handwritten signature in black ink, appearing to read 'Russell X. Mayer', is written over a horizontal line.

By: RUSSELL X. MAYER, NY #1726124  
Assistant U.S. Attorney